REMARKS

In light of the above amendatory matter and remarks to follow, reconsideration and withdrawal of the rejections of the application are respectfully requested. It is apparent from the Office Action that the claims are being interpreted in a manner inconsistent with the clear meaning of the claim language and the specification. The present amendment is made to obviate such an interpretation.

Claims 1 and 3-7 are pending in this application. Claims 1, 6, and 7, which are independent, are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification.

Claims 1 and 3-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,264,839 to Lang in view of U.S. Patent No. 6,226,296 to Lindsey, et al. The explanation for this rejection is substantially the same explanation as set out in the previous Office Action dated July 2, 2007.

The purpose of the present invention is to speed up an editing operation, especially if part of that editing operation involves simply the copying of entire blocks of data from a source to a destination. This copying is referred to in the present specification as asynchronous editing, wherein a data file is transferred from a read drive to a write drive in an asynchronous manner (see, for example, paragraphs [0129] and [0131]-[0132] of Applicants' published application). The editing operation also may entail searching for portions of a file on the read drive and transferring those portions, possibly with special effects, through an editing

processing unit to the write drive in a synchronous manner (see, for example, paragraph [0130]

of Applicants' published application).

The edit commands specify whether the editing operation is asynchronous

(copying) or synchronous (excising and transferring, perhaps with special effects). The edit

commands are included in the edit procedure data, which is described in the specification as Edit

Procedure List (EPL) data. When an edit command specifies asynchronous editing, the read and

write drives and the editing unit operate without synchronization. When the edit command

specifies synchronous editing, the drives and editing unit are synchronized. This is defined in

Applicants' claims.

Claim 1 is typical and recites, *inter alia*:

> receiving means for receiving ... an edit command specifying ... whether said
> audio visual data is to be edited synchronously or asynchronously;
>
> analyzing means ... to <u>recognize whether the edit command is a synchronous or
> asynchronous edit command</u> ...;
>
> editing means for <u>editing said audio visual data synchronously or asynchronously
> in accordance with said edit command</u>;
>
> determining means for determining when said edit command specifies an
> <u>asynchronous command for copying</u> of said audio visual data and for determining
> when said edit command specifies a <u>synchronous command for editing</u> said audio
> visual data; and
>
> controlling means which, if said edit command is determined to be an
> asynchronous copy command, then transfers said audio visual data from a copy
> source ... to a copy destination ... without synchronizing ... ; and if said edit
> command is determined to specify a synchronous editing action, then transfers the
> unedited audio visual data reproduced ... to said editing means for the specified
> synchronous editing action, and transfers the thus-edited audio visual data coming
> from said editing means ... while synchronizing ... in operation. (emphasis
> added.)

As understood by Applicants, U.S. Patent No. 5,264,839 to Lang copies a

recorded audio/video program from one storage medium to another. A program may be edited,

as by inserting frames into the program (see the paragraph bridging columns 6 and 7 of Lang).

Copying of a program requires playing back the program from a medium, and

> "once the complete video/audio program has been stored in memory 13, the
> recording media from which the stored program has just been read is replaced by
> blank recording media upon which the stored program is to be copied." (col. 9,
> lines 51-55.)

> "As the program is being read from the first or original recording media, it is
> simultaneously viewed on the TV screen ... converted to digital signals,
> compressed and stored in memory 13. Once the digital audio/video program is
> stored in memory 13, editing is accomplished by the user through control of DCU
> 14 ...." (col. 10, lines 11-18.)

Thus, both copying and editing are carried out synchronously. There is no

asynchronous operation contemplated by Lang.

Moreover, there is nothing in Lang to suggest "an edit command specifying ...

whether said audio visual data is to be edited synchronously or asynchronously," as recited in

Applicants' claim 1. Nor does Lang "recognize whether the edit command is a synchronous or

asynchronous edit command" as also recited by the claim. Lang fails to suggest "editing said

audio visual data synchronously or asynchronously in accordance with said edit command" as

recited in Applicants' claim 1. Additionally, Lang does not describe "determining means for

determining when said edit command specifies an asynchronous command for copying of said

audio visual data and for determining when said edit command specifies a synchronous

command for editing said audio visual data" as claimed. Finally, Lang does not transfer audio

visual data from a copy source to a copy destination without synchronization in response to an

asynchronous copy command; and transfer unedited, reproduced A/V data to editing means for

the specified editing action, and then transfer the thus-edited A/V data from the editing means

with synchronization in response to a synchronous edit command, as called for by Applicants'

claim 1.

These significant deficiencies in Lang are not cured by Lindsey. Lindsey relates

to a network where at least two routing switchers are connected together with a tie-line

composed of a plurality of full duplex dedicated router interconnects. This configuration results

in a contention free environment as long as the number of users along a given tie-line at a given

moment does not exceed the number of dedicated routing switcher interconnects that compose

that tie-line. The Examiner refers to col. 2, line 57 to col. 3, line 3 of Lindsey as teaching

copying A/V data from one recording/reproducing means to another without synchronizing the

two means. But, this portion of Lindsey states:

> Therefore, there is a particular need for a system which can transfer continuous
> data (e.g., video and audio) with bursty data (e.g., Ethernet) and/or packetized
> data (e.g., asynchronous transfer mode (ATM)) through a routing switcher in the
> form of a single bit stream and without disrupting the laminarity of the continuous
> data.
>
> Such a system provides a multi-format adaptive plesiochronous network (MAP).
> A plesiochronous network multiplexes multiple sources of isochronous data
> together such that two or more signals are generated at nominally the same digital
> rate and their significant instances occur at nominally the same time. Multi-format
> means multiprotocol. Adaptive means that the multiplexer can handle the
> different formats, or streams, of data.

As understood, Lindsey's multiplexing of isochronous data from multiple sources

is a synchronous (as opposed to an asynchronous) operation. While Lindsey mentions

asynchronous data, Lindsey fails to describe editing, copying, edit commands, synchronous or

asynchronous edit operations. Accordingly, it is not seen how the addition of Lindsey to the

teachings of Lang suddenly would enable one of ordinary skill in the art to recognize that Lang

should be modified in a manner not contemplated by either Lang or Lindsey in an effort to reject

Applicants' claim 1. First, there is no reason to combine these references. Second, the subject matter of these references is so unrelated that one concerned with editing, after reading and understanding Lang, would have no reason to look to Lindsey for a suggestion that would be helpful in modifying Lang's editing operation. And third, even if these references are combined (which is strenuously opposed by Applicants' representative), the resultant combination still would not teach all of the recitations found in claim 1, as noted above.

Therefore, reconsideration and withdrawal of the rejection of claim 1 as allegedly being obvious in view of the combination of Lang and Lindsey are respectfully requested.

For reasons similar to those recited above, Applicants submit that claims 6 and 7 are also patentable.

Claims 3, 4 and 5 all depend from claim 1 and therefore recite all of the features recited in claim 1. It follows, therefore, that claims 3-5 are unobvious over the combination of Land and Lindsey for the very same reasons urged above.
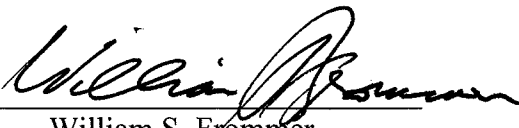
In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

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In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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